

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ANTHONY KAVANAUGH	§	
VS.	§	CIVIL ACTION NO. 1:22-CV-22
DARREN WALLACE, ET AL.	§	

## ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Anthony Kavanaugh, proceeding through counsel, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Darren Wallace, Roshanda Pollard, and Wade Michael Newby.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. On October 2, 2023, the magistrate judge recommended dismissing the action without prejudice. To date, the parties have not filed objections to the report.

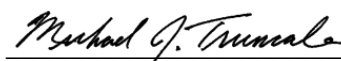
The Court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge [Dkt. #26] is ADOPTED.

A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

**SIGNED this 1st day of November, 2023.**

A handwritten signature in black ink, reading "Michael J. Truncale", written over a horizontal line.

Michael J. Truncale  
United States District Judge